



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,643	12/01/2000	Masashi Hamada	36409-00500	5951

7590 04/23/2003

Christopher E. Chalsen, Esq.
Milbank, Tweed, Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, NY 10005-1413

EXAMINER

MILLER, BRANDON J

ART UNIT	PAPER NUMBER
----------	--------------

2683

DATE MAILED: 04/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/728,643

Applicant(s)

HAMADA, MASASHI



Examiner

Brandon J Miller

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 9, 10, 12, 16, 17 and 22-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 9, 10, 12, 16, 17 and 22-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2683

DETAILED ACTION

Response to Amendment

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 9-10, 12 and 22-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shinomiya in view of Khan.

Regarding claim 1 Shinomiya teaches a system comprising a base station, where the base station comprises wireless communication for performing wireless communication with a plurality of terminals (see abstract and col. 4, lines 33-39). Shinomiya does not teach allocating second identification information for temporarily specifying one of the plurality of terminals to the one of the plurality of terminals that is specified by first identification information. Khan teaches a base station allocating second identification information for temporarily specifying one of the plurality of terminals that is specified by first identification information (see abstract and col. 4, lines 32-48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Shinomiya adapt to include allocating second identification information for temporarily specifying one of the plurality of terminals to the one of the plurality

Art Unit: 2683

of terminals which is specified by first identification information because this would allow for wireless radio telephones to be operative with a private base station.

Regarding claim 2 Khan teaches a base station that notifies the one of the plurality of terminals of a call reception by using the second identification information allocated by identification information allocating means (see abstract, col. 1, lines 44-55 and col. 4, lines 32-48).

Regarding claim 3 Khan teaches a base station with registration notifying means for notifying a wireless control apparatus of a system of base station identification information for specifying the base station and the second identification for specifying the one of the plurality of terminals (see col. 2, lines 45-49 and col. 4, lines 32-48).

Regarding claim 4 Shinomiya teaches managing a correlation between a terminal and base station identification information allocated to an arbitrary terminal (see col. 5, lines 48-49 & 54-56 and col. 7, lines 6-14). Khan teaches second identification information allocated to the one of the plurality of terminals (see col. 4, lines 32-48).

Regarding claim 5 Shinomiya teaches receiving a link establishment request from a terminal and a link establishment request using one of the first identification information for specifying a terminal (see col. 10, lines 65-67 and col. 11, lines 10-25). Shinomiya teaches base station identification information allocated to the plurality of terminals by another base station (see col. 5, lines 48-62). Shinomiya teaches a link establishment process with one of the plurality of terminals on the basis of the information received by a link establishment request receiving means (see col. 10, lines 8-9 & 65-67 and col. 11, lines 10-25). Shinomiya does not teach second identification information and third identification information allocated to the

Art Unit: 2683

plurality of terminals by another base station. Khan teaches multiple identification information allocated to a plurality of terminals by another base station (see abstract and col. 4, lines 32-48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Shinomiya adapt to include second identification information and third identification information allocated to the plurality of terminals by another base station because this would allow for avoidance of interference in control channel signals among a plurality of base stations.

Regarding claim 9 Shinomiya teaches a system comprising a base station and a plurality of terminals (see abstract and col. 4, lines 33-39). Shinomiya teaches a wireless communicating means for communicating with a plurality of terminals in a wireless manner (see abstract and col. 4, lines 33-39). Shinomiya teaches allocating base station identification information (see col. 4, lines 48-61). Shinomiya does not teach second identification information for temporarily specifying the one of the plurality of terminals to the one of the plurality of terminals that is specified by the first identification information. Khan teaches a base station allocating second identification information for temporarily specifying one of the plurality of terminals that is specified by first identification information (see abstract and col. 4, lines 32-48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Shinomiya adapt to include allocating second identification information for temporarily specifying the one of the plurality of terminals to the one of the plurality of terminals which is specified by the first identification information because this would allow for wireless radio telephones to be operative with a private base station.

Regarding claim 10 Khan teaches notifying the one of the plurality of terminals of a call reception by using the second identification information allocated to the one of the plurality of

Art Unit: 2683

terminals from the base station in an identification information-allocating step (see abstract, col. 1, lines 44-55 and col. 4, lines 32-48).

Regarding claim 12 Shinomiya teaches temporarily storing a correlation between terminal information and base station identification information and managing (see col. 5, lines 48-60). Khan teaches first identification information and second identification information allocated to the one of the plurality of terminals (see col. 4, lines 32-48).

Regarding claim 22 Shinomiya teaches a wireless communication system with a plurality of base stations that allocates identification information for specifying a terminal to the terminal (see abstract and col. 4, lines 48-61). Shinomiya teaches requesting a base station to release allocation in the case that information is allocated to a terminal by another base station (see abstract and col. 6, lines 13-16). Shinomiya does not teach second identification information that is allocated to a terminal by a second base station. Khan teaches second identification information that is allocated to a terminal by a base station (see col. 4, lines 32-48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Shinomiya adapt to include second identification information that is allocated to a terminal by a second base station because this would allow for wireless radiotelephones to be operative with a private base station.

Regarding claim 23 Khan teaches a control apparatus in a wireless system that is notified about identification allocation of a base station (see col. 2, lines 46-50 & 56-60 and col. 4, lines 33-48).

Art Unit: 2683

Regarding claim 24 Shinomiya teaches a request of releasing allocation (see col. 6, lines 13-16). Khan teaches a base station that is capable of allocating second identification information to another terminal (see col. 4, lines 32-48).

Regarding claim 25 Shinomiya teaches a wireless communication system with a plurality of base stations that allocates identification information for specifying a terminal to the terminal (see abstract and col. 4, lines 48-61). Shinomiya teaches requesting a base station to release allocation in the case that information is allocated to a terminal by another base station (see abstract and col. 6, lines 13-16). Shinomiya does not teach second identification information that is allocated to a terminal by a second base station. Khan teaches second identification information that is allocated to a terminal by a base station (see col. 4, lines 32-48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Shinomiya adapt to include second identification information that is allocated to a terminal by a second base station because this would allow for wireless radiotelephones to be operative with a private base station.

Regarding claim 26 Shinomiya and Khan teach a device as recited in claim 23 and is rejected given the same reasoning as above.

Regarding claim 27 Shinomiya teaches a wireless communication system with a plurality of base stations that allocates identification information for specifying a terminal to the terminal (see abstract and col. 4, lines 48-61). Shinomiya teaches requesting a base station to release allocation in the case that information is allocated to a terminal by another base station (see abstract and col. 6, lines 13-16). Shinomiya does not teach second identification information that is allocated to a terminal by a second base station. Khan teaches second identification

Art Unit: 2683

information that is allocated to a terminal by a base station (see col. 4, lines 32-48). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Shinomiya adapt to include second identification information that is allocated to a terminal by a second base station because this would allow for wireless radiotelephones to be operative with a private base station.

Regarding claim 28 Shinomiya and Khan teach a device as recited in claim 23 and is rejected given the same reasoning as above.

Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shinomiya in view of Khan and Kao.

Regarding claim 16 Shinomiya teaches a plurality of base stations for performing wireless communication with a plurality of terminals; and a plurality of terminals existing in a service zone with terminals connected to each base station (see abstract and col. 4, lines 33-39). Shinomiya teaches identification information allocating means for allocating base station identification information (see col. 4, lines 48-61). Shinomiya also teaches a base station that manages and allocates unique identification information to each terminal (see col. 9, line 6, and col. 11, lines 6-9 & 20-25 & 44-46). Shinomiya does not teach a wireless control device connected to a plurality of base stations, for controlling communication between the base stations, one of the plurality of base stations allocate second identification information for temporarily specifying one of the plurality of terminals to the one of plurality of terminals which is specified by first identification information. Khan teaches one of the plurality of base stations allocate second identification information for temporarily specifying one of the plurality of terminals to the one of plurality of terminals that is specified by first identification information

Art Unit: 2683

(see col. 4, lines 32-48). Kao teaches a wireless control device connected to a plurality of base stations, for controlling communication between the base stations (see abstract and col. 6, lines 15-20 & 22-22). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the Shinomiya adapt to include a wireless control device connected to a plurality of base stations, for controlling communication between the base stations, one of the plurality of base stations allocate second identification information for temporarily specifying one of the plurality of terminals to the one of plurality of terminals which is specified by first identification information between the base stations because this would allow for wireless connections between base stations and base station controllers without the need of wired connections.

Regarding claim 17 Shinomiya teaches one of the plurality of base stations notifying of a reception of base station identification information and for identifying the one of the plurality of base stations corresponding to identification information (see abstract, col. 4, lines 48-61 and col. 11, lines 20-25 & 57-61). Khan teaches notifying of second identification information (see col. 4, lines 32-48). Kao teaches a base station communicating with a wireless control device (see abstract).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Takemura U.S Patent No. 6,163,695 discloses a mobile communication system and mobile communication method thereof.

Art Unit: 2683

Aldredge U.S Patent No. 6,181,931 discloses a method and apparatus for dynamic address allocation in a wireless communication system.

Applicant's arguments with respect to claims 1-5, 9, 10, 12, 16 and 17 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Art Unit: 2683

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

April 19, 2003



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600